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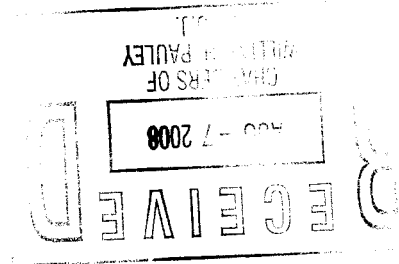
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OUR FILE NUMBER
600769.006

August 6, 2008

BY HAND

The Honorable William H. Pauley III
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
Room 2210
New York, NY 10007



Re: Zappa v. Rykodisc, Inc., Civil Action No. 08-396


Dear Judge Pauley:

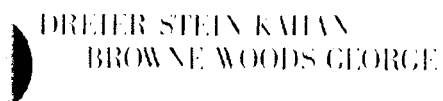
We write on behalf of Plaintiff Adelaide Gail Zappa ("Zappa"), individually and as sole trustee of the Zappa Family Trust w/t/d November 15, 1990, to request an adjournment of the oral argument in connection with Defendant Rykodisc, Inc.'s ("Ryko") motion to dismiss and for a more definite statement, presently scheduled for this Friday, August 8 at 11:00 a.m.

Until approximately two (2) weeks ago, it was our understanding that opposing counsel for Ryko, Stephen Buckingham, was going to request, and we were going to consent to, an adjournment of the hearing. As a result of a change in Mr. Buckingham's circumstances, he informed me that he no longer needed to adjourn the motion. Unfortunately, in large part a result of the foregoing, I am now unable to travel from California to New York this week, and Robert Grand of Dreier LLP, who has assisted in this matter, is unavailable as well due to a pre-planned vacation. Accordingly, we respectfully request an adjournment of this Friday's oral argument. We have conferred with Mr. Buckingham, and he advised that Ryko does not object to this request. I understand too that Mr. Buckingham is in the process of planning a vacation for some period during the last two weeks of August, and would prefer that if oral argument is adjourned that it be rescheduled for sometime in September, which is acceptable to Plaintiff as well.

Oral argument is
adjourned to
August 29, 2008
at 10:00 a.m.

Application granted.
SO ORDERED:


WILLIAM H. PAULEY III U.S.D.J.
8/7/08



The Honorable William H. Pauley III
August 6, 2008
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We apologize for any inconvenience the rescheduling of the hearing may cause the Court.

Sincerely,

A handwritten signature in black ink, featuring a large, stylized loop on the left and a series of smaller, connected loops on the right.

Mark D. Passin

cc: Stephen R. Buckingham (by e-mail and Federal Express)
Robert Grand, Esq.